DOCUMENT RESUME

ED 155 821 95 EA 010 734

AUTHOR Cottle, Thomas J.
TITLE Children in Jail.
INSTITUTION National Council on Crime and Delinquency, Hackensack, N.J. NewGate Resource Center.
SPONS AGENCY Department of Health, Education, and Welfare, Washington, D.C.
PUB DATE Feb 78
NOTE 47p.; Chapter 6 of "Theoretical Perspectives on School Crime, Volume I"; For other papers in this volume, see EA 010 729-768

EDRS PRICE MF-$0.83 HC-$2.06 Plus Postage.
DESCRIPTORS Case Studies; *Child Abuse; Civil Liberties; *Correctional Rehabilitation; *Delinquent Behavior; *Disadvantaged Youth; Educationally Disadvantaged; Elementary Secondary Education; Emotionally Disturbed Children; *Juvenile Courts; Medical Treatment; Parent Child Relationship; *Prisoners

ABSTRACT

One of 52 theoretical papers on school crime and its relation to poverty, this chapter presents a series of life studies of children in jail, along with a brief discussion of prison reform. The purpose of the life studies is to allow jailed children or children who have been in jail to speak for themselves of the conditions of jail and the experience of being incarcerated. The studies include children who have been tried and sentenced to jail, as well as children held in detention centers awaiting trial. One of the studies is of a girl who was held illegally in an adult prison. Among the many topics discussed by the children are medical treatment, the lack of educational facilities, the changing nature of their relationship with their parents, the shame and fright of imprisonment, and the physical and psychological effects of being in jail. (Author/MLF)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED155821

U S DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

CHILDREN IN JAIL*

Thomas J. Cottle

Boston University Medical School

Amherst College

A paper from
"Theoretical Perspectives on School Crime"

Submitted to
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
February 1978

Submitted by
NATIONAL COUNCIL ON CRIME AND DELINQUENCY
Hackensack, N.J.

EA 010 734

* The following case studies also appear in Children in Adult Jails (published by the Children's Defense Fund of the Washington Research Project, 1976): Johnny O'Dea, Bobbie Dijon, and Angela Wittenberg.

ABSTRACT

A series of life studies of children in jail is presented, along with a brief discussion of prison reform. The purpose of the life studies is to allow jailed children or children who have been in jail to speak for themselves of the conditions of jail and the experience of being incarcerated. The studies include children who have been tried and sentenced to jail, as well as children held in detention centers awaiting trail. One of the studies, moreover, is of a girl who was held illegally in an adult prison. Among the many topics discussed by the children are medical treatment, the lack of educational facilities, the changing nature of their relationship with their parents, the shame and fright of imprisonment, and the physical and psychological effects of being in jail.

Johnny O'Dea was arrested for arson when he was 13. He was taken to jail in a paddy wagon. Inside the wagon, he fought with another boy who had been arrested with him. At the police station where he was booked, he scuffled momentarily with a policeman who was pinning back his arms. For this, he spent two days in solitary confinement. On the day he was released from solitary, he was arraigned in court and set free on 500 dollars bail. Despite the unnecessary punishment of solitary confinement, the case of Johnny O'Dea might have ended when the court released him. But his 38 hours in a cell by himself, without light or sound, had an effect on him which hasn't wholly subsided, and he is now 17½.

Shortly after being released, a tick was noticed on the right side of his face, and weeks later he began to stammer slightly. In addition, a fear of heights and closed spaces developed into phobias. To this day, he insists on sleeping with the light on and refuses to ride in the back of a car if he is crowded by other people:

"I can barely think about those three days," Johnny O'Dea has said. "Those tall walls coming in on me, me standing there looking up at that ceiling like it was coming down on top of me real slow. Inch by inch. And it

was wet in there; like I was sweating, you know, and there wasn't nowhere for the sweat to go, so it just stayed in there with me. Then it got hot, then it got cold. Holy God, it was the worst thing I ever knew about. I'd touch the walls and they'd be cold one minute and maybe hot the next. Like, I couldn't tell no more what I was feeling. They didn't give me no bed to sleep on. They didn't even have no toilet. They had like the top of this sewer pipe sticking up out of the floor and you had to piss and shit in it. And you couldn't see so you'd be reaching around in all that darkness hoping you'd find it and hoping you wouldn't put your hands in anything at the same time. It really smelled. I was walking around in my own piss there. I got so afraid I just walked to a corner to take a piss. I didn't know what was wrong with me. I wouldn't go find the pipe no more. I'd just do it and the damn stuff drained down the floor, you know, stinking up the place.

"Then they gave me this lousy food. I didn't even eat it. I was afraid. I could barely see the stuff. How'd I know it wasn't filled with bugs and ants. I didn't think they'd try to poison me or nothing, I was just afraid maybe all these bugs would get in the food and I wouldn't see'em. If I ate the stuff and threw up, which I knew I'd probably

do, I'd have to smell that stuff in there, too. So I didn't eat or drink nothing for the whole two days.

"I can still see that room, man. I can feel those walls and how hard they were and everything. They wouldn't put a sick dog in one of those cells, but they had no problem sticking me in there, and lots of guys before me and after me, too, I'll bet. I kept thinking while I was in there, maybe someone's dead in here with me. Maybe on the floor somewhere I'm going to find a body of some kid just like me who they stuck in there once and he never got out. I'm going to find a body in there, man. I can feel it in here. I know it's in here somewhere. So I ain't moving from this spot. I ain't going nowhere 'cause if I find it, trip on it, you know, that'll do me in. I mean, I ain't going to live after finding it.

"You see how I'm talking about it now? I'm talking about those three days like they were still happening, instead of being like two years and two months ago. I hope I never have to go back in there. I'd kill myself first. I really would. I'd kill myself. I'd find some way to do it, believe me. Then the next guy who goes in there afraid he's going to stumble over somebody, he will. He'll fall over me and land on that cold hard miserable floor."

Introduction

According to statistics prepared by the Law Enforcement Assistance Administration, there are approximately 160,000 people in jail throughout the United States on any given day. If one considers turnover rates, then as many as 5½ million men and women are in jail in the course of one year. Of persons arrested for crimes of violence, about 22 percent are children under the age of 18. Of those arrested for property offenses, 50 percent are children under 18. While these last figures may seem high to some people, it is often said that children represent about 50 percent of all people arrested. Clearly they do not. Indeed, the figures for crimes committed by children and the number of children in jail in the United States are far from clear.

Studies recently completed by the Children's Defense Fund of the Washington Research Project reveal that more than 600,000 American children are in jail. New York State alone had almost 6,000 juveniles in jail in 1970. Shocking as these figures are, they are an underestimation, as there is no way of knowing precisely the number of children in detention centers or held in jail waiting for trial. These children, too, are technically in jail, although

they often are not considered to be in jail in official surveys. Indeed, the Children's Defense Fund, through interviews, learned that many jails which detained juveniles did not report these children when the National Jail census of 1970 was conducted. Furthermore, some prison officials did not consider a child held for several days in a police lockup to be an official case of incarceration.

Of the children in jail, the Children's Defense Fund study reported that the majority were white boys, although a disproportionate number of minority children were in jail. The average age of the jailed child was between 16 and 17, although there were many children as young as 12 or 13. It is not uncommon to find children assigned to a jail where adults are imprisoned despite laws against it. Indeed, it has long been argued that people under the age of 18 should not be sentenced to jail and that alternative rehabilitative, educational, and vocational programs be established. Yet, in the decade from 1950 to 1960, the number of children in jail increased by almost 90 percent. The average length of time a child is held in jail is about six days; yet the Children's Defense Fund found that the period of incarceration was not directly related to the period stipulated by state law. It is

obvious, therefore, that children's rights are regularly being abrogated in the process of their being arrested, charged, arraigned, and sentenced to jail.

Contrary to popular belief, the large majority of children in jail studied by the Children's Defense Fund had not been charged with committing a violent crime. Less than 20 percent in fact were jailed for some violent act. Mainly, children in jail had committed so-called property offenses and minor behavioral violations. More than 15 percent of the children were in jail for so-called status offenses (offenses not considered crimes if committed by an adult; these include truancy, running away, and the infamous charge of incorrigibility). It must also be pointed out that a great many children -- although it is impossible to determine exactly how many -- are in jail for protective custody. That is, no official charge has been made. Some children are jailed because they have been diagnosed as mentally retarded or ill. While most of these children are released from jail after a brief period of time, there are innumerable cases of children kept in protective custody for as long as five years.

No one needs to be told that jails serve no positive function for the individual, particularly when that individual is a child. The reason for incarceration is to

remove the person from society. But prison recidivism rates make it evident that incarceration by itself rarely deters subsequent criminal action. The notion that prison is thereapy is preposterous. Jail means punishment and abuse, rarely protection or treatment. The expression that prison teaches crime -- makes criminals as often as it takes them -- is especially appropriate in the case of young people. But this is not surprising, for anyone who has ever visited city or county jails, where the majority of children are incarcerated, can see, and smell, in a moment why a jail can only do harm to a child.

To begin with, most jails are old and offer the worst physical facilities imaginable. Jails are understaffed, and few staff members have had any special experience or training in the treatment of young people. Furthermore, many jails do not offer any sort of program that could possibly be seen as rehabilitative. Consider in this regard, the following statistics reported in the 1970 National Jail Census:

Combined, there are 1,021 city and county jails in cities or town of over 25,000 people in the states of Florida, Georgia, Indiana, Maryland, New Jersey, Ohio, South Carolina, Texas, and Virginia. Of these 1,021 jails, one can find recreational facilities in less than 13

percent, educational facilities in less than 10 percent, medical facilities in almost 50 percent. While percentages can be misleading, there is nothing misleading about the facts that only 2.7 percent of Ohio's 112 city and county jails have educational facilities or that 38.6 percent of South Carolina's 101 jails have no medical facilities (and some of the rest have only first aid kits), or that only 2.6% of Texas's 265 jails have recreational facilities. Indeed, only 2% of Texas city and county jails have prisoner-visiting facilities!

In the same census, jail administrators were asked to describe their "locally sponsored rehabilitative services and programs." While it would be difficult to confirm or disconfirm the reports of the respective jails, the figures themselves were hardly encouraging. About 11 percent of jails studied reported the presence of group counseling and remedial education programs. Vocational-training programs were reported in 14 percent of the jails, job development and placement programs in 12.5 percent of the jails. Alcoholic treatment programs were reported in 35 percent of the jails, and drug addiction treatment programs in 27 percent of the jails; yet 60 percent of the jails offered religious services. One wonders whether these statistics would change significantly if the

responsibility for jail control and maintenance lay with the Federal government rather than with local city and county governments.

While many people are well aware of these statistics and the conditions of jails, some cannot find in themselves sympathy for imprisoned men and women. While their feeling may soften on the issue of children in jail, they might argue that people who commit crimes must be tried and, if found guilty, sentenced, even if they are children. Even the most radical proponent of prison reform would insist that acts committed by children against person and property cannot be condoned. It's true that something must be done, but the facts speak for themselves. Incarceration rarely prevents further crime. In the short and long run, jails solve little. They do perform one significant function: by isolating so-called criminals, the rest of us are no longer in danger of "attack" by these people. Moreover, we need not think of them as people; we do not think of them. They exist solely in terms of our labels and designations, no matter how technical or objective these designations seem to be. They are prisoners, inmates, delinquents, criminals: no longer men and women, no longer boys and girls. And just as their human qualities are assulted in prison, so too is

their humanness taken away by us as we label and sequester them. They have no faces, no names; they are known by numbers and by the very statistics we have just examined. Their present and future identity is defined in the context of jail; their past identity is automatically recorded in terms of their criminal action. It is not absurd to say that some people imagine delinquent youth as people who spend every waking hour of their life either contemplating or performing some criminal activity, every sleeping hour dreaming of crime. Sadly, there is little popular information about these children in jail, and so the stereotypes and prejudices remain. Certainly they remained with me when I began my research on children in jail some five years ago.

For many years in my work with families in various American cities, I had spoken with young people who had been in jail or had friends in jail. But it was not until much later that I made arrangements to speak with children while they were serving jail sentences or waiting in jail for their trials to begin. Originally, the purpose of my work was to gather information from the children about the conditions of jails, and generally about life in jail. As someone who has always believed that no one can speak more eloquently about another person's life than the person himself or herself, I was eager to begin

my interviews with the children in jail who, along with their families, had granted permission for the interviews. To my surprise, the initial work went so slowly, so poorly in fact, that I resolved to give up the project entirely. The young men and women were willing to meet with me, but there was nothing they had to say. Indeed, we would often sit silently in the visiting room of their jail looking at one another as if we spoke different languages. In those moments, my own prejudices about so-called delinquent youth could not have been more prominent in my thinking.

Finally, when I was on the verge of telling one boy that I would no longer be visiting him, since apparently he either had nothing to say or preferred not to speak with me, the boy made a simple suggestion. "Why not ask me to talk about other things in my life instead of just my life in here?" he said. "I haven't <u>always</u> been in jail, you know." It was perfectly true. I had been treating the young people as if they were nothing more than criminals, or informants about life in jail. But the boy's message was even more complicated than I had first heard, for besides reminding me that a person is far more than a prisoner, the experience of being in jail can be so terrifying and brutal that one is unable to speak about it for a long time, if ever.

Gradually, the topics of our conversations shifted to their childhoods, families, schools, and friends, a whole range of issues, and, not surprisingly, the energy and eloquence that always comes forth when people speak about themselves returned to the words of the children in jail. And there was nothing in the physical environment that encouraged them. The visiting rooms were at best sterile, sanitized places where privacy was denied and where everything from the architecture to the lights and sounds, and of course my own presence, enhanced the young people's feelings of shame.

The following profiles, or life studies, of children in jail are the result of some of these conversations. For reasons of confidentiality, all the names are fictitious, although it is ironic that here, for good reason, we once again mask the humanity of real people with anonymity. The life study, as this type of research has been called, relies heavily on reporting the words of one's informants. Ideally, if the life study is successful, it should inform us, keep us alert to the human dimensions of social action, give individual perspectives on the way life is led, and importantly, help us to perceive and understand, in this instance, not only the problem of crime, but the society and culture that both perpetuate and seek to control this problem.

Elaine Harrington

Elaine Harrington, 16 years old, is a very tall young woman with a look of defiance in her eyes. Every time one talks with her, one hears the same message: her wish to get even with somebody, her desire for revenge. For many years, there was only one person in her life that she actually believed was on her side, supporting her, caring for her. That was her father, 53-year-old Edward Harrington, an unemployed man who had worked for 15 years in a sugar-processing plant. No matter what difficulties Elaine Harrington found herself in, she could always rely on her dad. No matter how serious the problem, he would be able to get her out of trouble. Perhaps it would be a quiet chat with a policeman, or testifying before a judge on the two occasions when Elaine was taken to court. But whatever he said, it worked, for Elaine was allowed to go free. She might get a whipping from her father after the ordeal was over, but that was preferable to going to jail. And besides, she invariably admitted, she had it coming. Her father was a fair man: whatever he did was right.

But then Elaine Harrington was sent to prison, and no amount of arguing or pleading on the part of her father could help, and suddenly Elaine's feelings about her father seemed to change:

"That pig, what'd he do for me when I needed it the most? All those other times he could do it, so what's he do the second they want to send me to jail. He cops out like you can't believe. Big shot guy with all his friends on the force. That's all he told me. I got friends. I got friends. That man doesn't have a friend in the whole world. He's a liar. He'd say anything to get you to like him. Showing off his teeth, that's all he does. His little precious daughter, what does he care if they take her to jail. Ain't no time out of his life, so what's he give a rat's ass about it for?

"I counted on him. I actually believed him when he said he'd help. That lawyer they assigned to me, a pile of hot air stuffed with shit. He couldn't save a fly. I didn't care about him. Second I looked at him I knew he couldn't do nothing for me. But I had my daddy, I said to myself. Good old reliable daddy going to pull me out of this. See if he don't. Well, he don't! I don't know what the hell he did do but he didn't do nothing for me but bullshit everybody right down the line. They ought to stick him in here with them chicks and see how he likes it. He'd smell this air, he'd see what a great thing he done for me."

Then suddenly, Elaine Harrington's eyes weren't filled

with defiance but with penitence, and she was crying. She buried her face in her hands and shook her head from side to side, her long black curls seeming to dance.

"Look what's happened. Look at all of us in here. This miserable goddam place has turned me away from my father. I do love him. I do love him. This place makes me say what I said. It's not me saying it. Honest it isn't. I do love him. I do love him."

Fernall Hoover

During his two and a half years in jail, Fernall Hoover was placed in solitary confinement on three occasions. The first time he was 16 years old. Fernall had been fighting with another inmate and, when a guard tried to pull them apart, he became incensed and hit the guard and everybody else who tried to hold him down.

His descriptions of his experience in jail are always told in the same placid manner, his voice rarely rising or falling. A naive observer might believe he forgets each day in jail just as soon as it passes, but it is obvious that rage and hurt lie close below the surface of his even manner. He has been strangled by prison, and especially the experience of solitary confinement. Here is one of his reactions to being in an 8-foot cell for days at a

time:

"First thing I realized, I didn't know the time. Room had no windows so I never could tell. Sometimes, you know, when you ain't sleeping you can sort of tell how many minutes passed you by. But when you're sleeping, you don't know. Ain't got no clock, ain't got no sounds to help you. You're in a cell. First I thought, I can dig it, they bring me my food, I'll make out, you know what I'm saying. But after a while they got you talking to yourself. I'd be standing in there yelling loud as I could, tell me the time. TELL ME THE TIME. Ain't no one going to answer you. You know that, but it don't stop you. You just keep on yelling, TELL ME THE TIME. IS IT THE DAY OR THE NIGHT?

"Pretty soon, man, I figure I'm going crazy. I ain't even seen where I am. Suddenly the whole cell gets real light, you know, and I'm blinking my eyes so's I can get used to it. Then when I open 'em up I can't see nothing. It's still black in there, 'cause I only <u>imagined</u> they turned the lights on. Then I start talking to myself, 'You ain't going crazy, man. You're doing all right. You're to be all right. Believe me, you're going to be all right. Just hang in there.' So I tell myself, 'Think about the future, man, think about how it's

going to be when you get out. Make it like a picture in your mind'; you know what I mean.

"So I start to imagine the future, man, and there's nothing there. I can't see nothing, man. It's like the cell, all dark and nothing there, nowhere to go, nothing to see. Could be something there but if it is I'll be goddamned if I can see it. So I'm crying in there, man, like I was this little boy or something. I'm really crying. I ain't shitting you. I'm crying 'cause I ain't got no future. I'm like my little brother used to get when we'd take away his toy or this blanket he carried around with him everywhere. Sitting on the floor crying loud, you know, no one could shut him up. I'm crying 'cause they took away my future. I try to pull myself together, man. I say, 'Okay man, now hold on, pull yourself together. Forget about this long future, this rest of your life stuff. You can just be calm now, stop crying and start thinking about tomorrow.' That's the way I'm talking to myself. Just like that. Okay? So I try to settle down. 'Forget the future,' I say to myself. 'Just tomorrow.' Then man, like it started raining or something, I'm crying all over again. Sitting there crying like my brother. You know why? You know why I'm crying? I'm crying, man, 'cause I can't think about tomorrow because I don't know when tomorrow's coming. I don't know when the day I'm living

is finally over."

Buddy Marchetti

Buddy, short for Bernardo, Marchetti went to jail for stealing a car. He was 15 at the time. Outwardly a tough boy, Buddy Marchetti does everything he can to hide the tender parts of his personality. He'll say every expression about love and gentleness and caring for people is "girls' stuff," but anyone who knows him recognizes the tender spots in him. In fact, the loving parts of the boy began to exasperate his friends because they couldn't understand why such a boy got into all the trouble he did.

If one took Buddy literally, one might believe he really enjoyed going to jail, or at least that he felt proud about doing something so serious it warranted a jail sentence. But after two months in jail, everyday living alongside boys that even Buddy Marchetti believed were as tough as they come, a bit of the tenderness, and fright, began to surface. He was a perfectly behaved inmate, so perfect that nobody knew how terrifying the jail experience was for him. He wouldn't let himself cry in front of anyone, but his reflections over the first months of his incarceration revealed the hurt and fear

that usually lead to tears:

"I grew up, you know, really hating my old lady. I couldn't stand her. Every time we'd see each other we'd be fighting. Loud yelling, you know, me throwing tables and chairs at her. I hated her. She gave me nothing. I used to tell her if it weren't for her my father would still be living with us. She drove the poor guy right out of the house. He drank, we all knew that, but she should have seen the guy was sick. Everybody knew it. She didn't want to see though. She could have but she didn't. So I hated her. Nothing good about her, I used to think. Now I been here three months. And you know what I think about? How much I miss her. I swear to God. I miss that old sucker. As rotten as she is, with all that she done, I miss her. I want to go home. I can't say it no other way. I want so much to go home, I might even apologize to her for all the lousy things I said to her. 'Course she ought to do some apologizing to me too. But I can't stand it in here. You can mess around on the outside, maybe get in trouble, you know, but you can always go home. You might not like home. I never liked it. But I could go there when I wanted, fight with her and get the hell out. But I could go home. That's what I hate about this place. I want to go home and be with

her for a little bit but I can't. I swear to God, if they let me out of here I promise I wouldn't leave home, ever. I'd stay there. I wouldn't ever talk about my old man. I'd forget all about him and about all the bad times with my old lady too. That's no lie. I would."

Boddie Dijon

Bobbie Dijon, a 16-year-old girl who was sentenced to jail for selling drugs, got violently ill within minutes of being placed in her cell. She felt her head getting warm as if the blood in her neck were being heated and rising, hot, into her brain. Then she felt as though her head were suddenly too heavy for her body to support. Her heart raced and perspiration appeared all over her body. She vomited violently, surprised that there had been no warning signs of nausea or abdominal pressure. Her fingers and toes tingled as though someone were sticking small needles into them, and she was afraid that she was losing her sense of touch. Her eyesight, too, was affected; images became blurred and a strange scintillating arc appeared above everything she focused on, giving the impression of electrical interference:

"I'd never been sick before. Little stuff maybe, but not like that. I remember sitting on the bed looking

at my own vomit. I couldn't believe I'd vomited. It didn't feel like I'd done it. I couldn't smell it neither. Like, when they put me in that cell it didn't feel like me at all. I know I was there, but it didn't feel like me. I had to keep telling myself, it's really happening. But I knew I was sick. At first, like, I didn't really know, 'cause it didn't feel like it was happening to me. But I know how sick I was and, like, I can't say I really love my old lady, but when I got sick like that I really wanted her. I was calling for her and everybody was telling me to shut up. I must have been calling too loud. I was, like, begging for her to come and take care of me. That's all I wanted. Sure I wanted to get out of there and go home. Everybody thinks that all the time.. But I wasn't even thinking that so much then. All I wanted was my old lady to come and help me, like, take care of me. Every kid would, I'm pretty sure..

"The thing is, see, I didn't know how sick I was or why I got sick like that 'cause I'd never been sick like that. I couldn't see the right way. I thought I was going blind or maybe having a heart attack. If you never had those things happen to you, you don't know what's going on. But those people in the jail, they know what's going

on 'cause they told me later that lots of girls go in there and get sick the same way as I did. Same stuff with them like with me. They know what's going on. But you think they'd help me? Hell no. This guard, the matron, she walked past my cell I'll bet fifteen times while I was in there sick and crying. I didn't remember seeing her there 'till much later. You think she stopped to look after me? Hell no. She didn't even slow down. Just walked right on past me. All they care about is whether you're in your cell like you're supposed to be or not. If you get sick in there they don't care. That ain't their problem. It's yours!"

Angela Wittenberg

Angela Wittenberg is known to her friends as the Bat Lady because in the winter she wears a long, dark cape with two large black buttons at the collar. Fifteen years old, Angela is a small girl, barely 5 feet tall, with long black hair and deep-set brown eyes. When she walks, her cape drags on the ground, giving her the appearance of a moving mountain. Angela's aunt, Margaret Wittenberg, says the cape was a present to Angela from a man whose name she cannot remember. Angela claims she stole the cape from a department store. Her younger sister, Patty,

says the cape was a gift from Harry the Barber, who liked the way Angela stood up to the judge the first time she was taken to court, this being three years ago when Angela was 12. Apparently when the judge asked her to name the young people with whom she had broken into a foodmart, Angela replied loudly, "If you can't find them don't expect me to give you their names."

On that occasion the judge let her go. He told her that she was headed for no good. It was a bad sign being brought into his court at such a young age and, besides, he knew the police record of her older brother, Arnold. "What Arnold did ain't got nothing to do with me," she told the judge. "No one in my family talks with him no more." She told the judge the same thing when she appeared before him less than a year later. Again he spoke about Arnold, who now was serving time in one of the state institutions that went by the name of an industrial school. Each time she went to court, Harry Barboza, the young man everyone called Harry the Barber because he always carried barber's shears and cuticle scissors in his car, went with her. Angela said Harry was her moral support. Arnold said Harry was there to make certain she didn't mention his name to the judge or any of the lawyers. Patty didn't know for certain why Harry

hung around the courtroom. She assumed that he was one of Angela's boyfriends. With bitterness, she described Angela as a "loose kid who'd turn a trick for a nickle if that was all she could get."

Soon after her 15th birthday, Angela Wittenberg was arrested for breaking and entering. It was her third appearance before the same judge in the same courtroom, the fourth time, by her own admission, that she had broken into the same food store. Unlike the other times, on this occasion she stole money that had been left in one of the registers, as well as two shopping bags of food. Calling her hopeless and blaming her, her parents, and society too, the judge sentenced her to a term of no less than one year in a state correctional institution for girls. Angela told him she was glad to go: at least she'd be warm during the winter. When the judge said he never wanted to see her back in his court or any court again, Angela grinned and said, "I'd never make a promise I can't keep. I'll be back. If you aren't here I'll just have to see someone else then, right?" The judge turned away from her; someone in the rear of the courtroom clapped.

The prospect of spending a year with girls her own age at the correctional institution didn't seem that bad to Angela. Shelly Kane, a 17-year-old girl who had served

a year and a half at the institution described the place as the best poor man's boarding school around. Shelly was a former girlfriend of Arnold's and one of the few friends of her brother whom Angela cared for. If Shelly said jail was all right, then it was all right. But it was seven months into her sentence before Angela was actually taken to the correctional institution. During this time, due either to a mistake in the records office or, as she said, because there were people in the court who were out to get her, she was placed in a county jail for women. Until one week before she left for the correctional institution to which the judge had remanded her, a 14-year-old girl who had been charged with prostitution was assigned to the adjoining cell. At first Angela was grateful to have someone her own age as a friend, but by the second day the two girls were fighting in the yard and had to be separated. Finally, Angela was transferred to the correctional institution to which she had been remanded seven months previously.

My own visits with Angela in jail began at this time, although I had known her and her family for several years before she had gotten into trouble with the law. It took little prodding to get her to speak about her experiences of being incarcerated in a county institution

for women:

"Lots of the women there," she told me, "were real decent to me. Some of 'em even liked me. They pretended like I was one of their own kids. So they'd make things for me or give me the presents people had brought to them. They didn't lie about it. They'd tell me someone brought in some food, like, to them, but they wanted me to have it. Or maybe they'd give me cigarettes or clothes. I didn't ever have no clothes I ever liked. Me and my sisters always looked the worst in school. My mother never thought it was important to have her kids looking nice. She was an ugly old bitch and she knew it. So she probably figured since I ain't no winner I ain't about to make my own kids look any good. We never had no money, but there was enough one way or another that we could have looked a lot better than we did. I remember once my mother got this hundred-dollar bill. Some guy gave it to her. She showed it to us. We were dancing around, making up all these ideas about things we would buy, you know. So what does she do? She goes out and buys a couple of little things for herself, nothing really great; then she spends the rest of the money buying presents for all these crummy friends of hers. She didn't buy nothing for us. Nothing.

"So when these women in there gave me presents, you better believe I took them. I knew I shouldn't, but I told myself, maybe this is what I got coming from that hundred-dollar bill she got from that guy. I knew what these women wanted. Guard told me the first night to look out for some of them, but I didn't care. I mean, you get what you get, whatever's coming to you. So, like this first night a bunch of us are sitting around doing something, I don't remember what, and this one woman, Pokey they called her -- good-looking, maybe 40, something like that -- she comes up behind me and pulls up my hair, you know, and gives me this big wet kiss on the back of my neck. Everybody saw her do it. They saw her coming at me too but none of 'em said nothing, like to warn me or something, you know? So I swung around and rapped her right up alongside her head. Right? So she falls on top of me on this easy chair I was sitting on and we're going at it, hitting and pulling each other's hair, and all of a sudden I feel someone feeling me up. Right in the middle of this fight I look down and see this other freak, this Elaine what's her name, touching me down there and kissing me. So I start to yell for help but none of them does nothing. They're just watching and clapping and making sure we ain't making too much noise. So then, like,

you got all these people wrestling and humping each other. So pretty soon I figure what the hell, there's nothing else to do in here, so I let this Elaine get off on me and when she was done I let a few others do, you know, like she done. That's all. Nobody said nothing.

"Another night, this other woman comes up to me in the hall with a goddamn tonic bottle. You believe this? I goes, 'What the hell you think you're going to do with that?' She goes, 'Come on baby lady, let's see what you got under there.' So she starts to lift up my skirt and I push her away, only she laughs. Then she's coming at me again, only this time she's starting to take off her dress. No kidding. She ain't got anything on underneath. So here I am 14 years old, standing in this goddamn corridor of this goddamn jail with a sex maniac coming at me with a root beer bottle in her hand. And she ain't kidding either. I ain't about to yell for no one 'cause when they caught you messing around like that they'd put you both in solitary for four, maybe five, days. And when you've been in there like I was--they put me in there the first time 'cause they heard I was going to try to escape after a show one night which was a lie--you know you'll do anything, including getting raped before you'll go back.

"So I start pulling of my own dress real slowly and she starts to calm down. Like before, she looked like

she could either shove that bottle up inside me or split my face open with it. But when she sees maybe I'm going to get it on with her, she kind of relaxes. So then I say, 'Take it easy, okay, 'cause I'm on the rag.' I thought that would stop her, which it did, sort of. Only she says, 'Okay, I'll leave you alone, only let me suck your tits.' I figured why not, the poor woman'd probably been in there a hundred years without seeing nobody half my age. Lots of 'em have real good bodies still. I mean, they don't look like no 20-year-old chick, but they look pretty decent, some of 'em. Even the ones who've had kids, you know. They got those little, like, scars on their stomachs and their tits look all strange. But hell, I was the youngest there. I was the best lay they had. I figured that's probably why they put me in there in the first place. Somebody's got to let 'em do it to 'em. Why not? They ain't got nothing in their lives to look forward to but living with all these queers and perverts and sex maniacs. I figured I'd be getting out pretty soon. No one would know, or if they did they'd understand.

"You go to jail, baby, they don't turn you off. You just keep on coming, wanting more, just like on the outside. Some of those girls could wait, but not all of 'em. When

you got men, you take 'em, but if all you got is women, then that's what you take. Beggar takes whatever they give him, and like I say, lots of 'em in there were all right to me. They gave me stuff. What the hell, doin' it that way with a chick ain't all that bad. I ain't up to doin' it the rest of my life but you get used to it. Anyway, the name of the game in there is survive. Sometimes you fight, sometimes you lie, like I tried to do with that one woman, and sometimes you just say to yourself, all right Angela, baby, settle down. lie back and just hope the guy who made that tonic bottle knew what he was doing 'cause if it breaks in there you're going to be pissing out the pieces till they set you in the ground and shovel in the dirt on you. So she's breathing like some wild beast and you're thinking about this factory on Western Ave where they make coke bottles wondering whether they use high-grade glass. So what else do you want to know about my days in the ladies penitentary?"

Angela and I met regularly during her stay at the correctional institution. Life here was very different from the months in the woman's county jail. Most of our discussions centered around day-by-day concerns, her friendships, the plans she was making for when she got out, and her interest in people on the outside who had

never come to visit her. There was no question about her sadness and her overriding feeling of hopelessness. One could easily see that, without a great deal of help, she was destined to return to this or some other, comparable institution. The horror of the woman's prison was hardly a deterrent. If life went well outside, she would say, then she would do her best to stay on the outside. If life went sour, and there was nothing else to do, then she wouldn't think twice about breaking into a store for money or clothes or shoes, or perhaps just for fun. If she got caught and sentenced, and imprisoned for longer periods of time, then so be it.

"It's warm in these prisons," she would tell me, her voice flat, all emotion concealed. "No matter how cold the winter gets outside, it's always warm in here. They give you three squares a day; usually they're lousy ones, but they come. You know they're going to be there, and you know what time they're going to be there. And there they are. What else you need? They even have turkey on Christmas and Thanksgiving, and that's one helluva lot more than I ever got on the outside. I remember one Christmas when my mother walked out on all of us. Five, six, days she was gone. On the day before Christmas she bought us this little tree too. I was only about 8 and we

were really excited, you know. We knew we wouldn't be getting nothing good for presents, but we had this tree and everybody put stuff on it. It looked all right too. So the next day she goes away, probably with some guy -- I never did find out where she went -- and not only did we freeze and have no presents like we knew we wouldn't have, she didn't even leave us with no food. And 'cause it was Christmas there weren't no stores open, so there we were. So you know what happened? We ended up eating steak because my brother, Arnie, and two of his friends threw a brick through some butcher's window miles from where we lived, you know, and brought it home. So we ate without her, the old bitch. She came back, like a week later, never said a thing to us. Didn't even ask us did we eat. So it's all right in here 'cause we eat. No matter what my mother does out there with all you good people, we bad little people in here, we get to eat."

As surprising as it seems, Angela Wittenberg claims that for the first several months of her imprisonment, she actually believed that she had been placed in the proper institution even though several of the inmates argued with the authorities that she had been improperly assigned to an adult prison. But Angela says she never

fully understood the misassignment:

"How was I supposed to know? They grab you out of the courtroom, put you in some jail; then they take you out of there and put you someplace else. You don't know where they're going. Ain't no one in there that'll tell you what's happening to you. The only people who give a shit for you, you know, like they'll say nice things to you or try to help you in some way, they're the ones who don't know nothing at all. The pigs, these horses' asses who push you in and out of cars, they know, but they lie to everybody. They'd probably lie to their old man. So how could I know? Lots of times I said to myself, hey, how come I'm so young and everybody else in here is so old? But I figured, maybe they ain't going to do nothing. But the young ones, maybe they got to split 'em up.

"I guess I found out about this mistake, or whatever you would call it, about four months after I got there. First, one of the inmates told me. Then this one guard who I didn't like all that much, she told me the same thing. Even when they told me it still didn't make a helluva lot of difference. Just 'cause they say you're in the wrong place don't mean they're going to move you right away. Like with me, they told me in February and I was still in there in May. I figured, they're giving me

clean clothes, they're giving me food, I'm only getting raped once every couple of weeks, what I got to complain about? I never said nothing. I didn't even talk to my family about it. My sister was all bothered by it, you know, but I didn't care. 'Course when I got into the place I was supposed to be in, then I got angry 'cause there they did take care of us better. I had some classes once in a while and a lot more interesting things to do. I had a few friends in there. Good ones, although I liked some of those old bitches in the first place too. Some of 'em were all right. Sometimes young kids, you know, like they need older people once in a while. I suppose we make 'em feel young, and what do they got to look forward to? Like, the girls in the second place are young, most of 'em are getting out soon, so what do they care if they lose a couple, three, years. You don't get it back but it ain't that big a loss.

"I wonder a lot about why they put me in the wrong place. I heard they put a lot of kids my age in these places. I figured in my case it was either a mistake or they were trying to tell me something. Like, maybe they thought if I saw what the worst place was like I'd stay out of trouble. You know, if you let the kid see the worst punishment maybe he'll stay clean. But I ain't

going to stay clean. I can say I am, make all these sweet promises, but I'll be back in one of these places again, maybe with the girls in the old ladies home, like I used to call it. Seein' all these different prisons don't make a person decide whether they're going to break the law. You can make every promise in the book, swear on your life like people do, you know, and it don't mean nothing. You take, like, one night and you get stoned and you ain't got money or any place to go, and nobody in the world's got a job for you, and maybe you got a lot of people you owe money to, you know, and you'll get into a lot of trouble if you don't pay 'em back, you better believe you'll do something like break into some place or grab somebody's purse in the street. You got to do it. You don't decide these things, you're forced to do 'em. You don't do 'em, you're dead, so what's the big deal? So I'll be back, only next time, if they send me to the old ladies home, I'm going in there with a chastity belt, 'cause I've got to be protected when those maniacs come at me.

"Maybe a lawyer could figure this out for me, but it seems like with all the smart people they got walking around someone ought to be able to figure out a better way to help kids. There's always going to be kids like me

getting into trouble. Right? Seein' lousy prisons ain't going to stop nobody, like I say. Electric chair and gassing people don't stop 'em from murdering people. So you'd think they'd find a better way somehow. I lost my education in the prison. That shouldn't have been. That was maybe the only good thing I had going for me. So now I ain't got that either. So I got to do my best, walk the straight and narrow like they say, but I got the same blood my brother Arnie's got. I'll be back. Fix up the cells, ladies, the Bat Lady is for sure going to return."

Epilogue

As I indicated, it has been several years since I first began speaking with children in jail. They have not been happy years for the children, even though many of them have been released from jail and now are once again living in their old communities. Some returned to school; some found jobs; others have been employed for brief periods of time but have found that the experience of jail has not only hurt them psychologically, but jeopardized their already meager opportunities. Several other children with whom I met regularly have died, some in jail, some after their release from jail. Two committed suicide;

three were the victims of physical illness. Physicians assured me, however, that these illnesses were exacerbated by the time spent in jail, for, not only was the experience of incarceration debilitating, but it was obvious that the children were not receiving proper medical attention. Their medical records, retained by the prisons, where wholly inadequate, almost suspect given the paucity of information collected on these sick children.

With the help of lawyers, physicians, social workers, and community workers of various types, we were able to get a good number of children out of jail and into so-called rehabilitation programs, such as half-way houses. Almost all the children illegally held in adult jails and in detention centers awaiting trial were released. In some cases, we were able to reopen the trials of certain children who, we were convinced, were innocent of the charges against them. In one instance, this work resulted in a mistrial, and the child was released. In a second instance, it was shown that a boy, not reported here, had been a victim of mistaken identity. He had spent 14 months in jail. In a third instance, a child was sent again before a juvenile court judge willing to hear his case. This was a boy who had admitted to committing a minor offense but who had become a model prisoner. On this basis, the judge released him to the care of his aunt, as

his own home was found to be "too unstable and inappropriate." For several weeks he complained of feeling lost and disorientated. He hated jail, but felt he had no real home outside. Within two months of his release he had committed suicide.

Unfortunately, the accounts of children in jail rarely have happy endings. To be sure, there are stories of children who transcend their experience in jail and become, as we say, law-abiding and contributing citizens. The majority of the cases with which I have been involved almost invariably were children who have been deeply hurt by serving an extended jail term. As we noted at the outset, movements for prison reform hardly imply condoning criminal actions by children. But my own impression is that the jail experience may well be called traumatic. Granted, trauma normally implies a sudden shock for which the person is wholly unprepared and jail isn't necessarily experienced in this fashion, although often it is. But the concept of trauma seems appropriate to these cases because the delicate tissues of psychological and physical protection are shattered, if not wholly destroyed, by being in jail, and recovery is usually very slow. Years after a person's release, the psychological and physical symptoms resulting from incarceration still may be detected. Phobia

and nightmares are commonly reported by ex-prisoners. One observes facial tics, extreme nail biting, stammering, learning difficulties, bowel and bladder problems, sexual inadequacies, and a host of other physical symptoms in young people who by all reports entered jail as medically normal.

Naturally, it will be argued by some that many children who wind up in jail are either biologically or psychologically disturbed to some degree before entering jail. It is this disturbance, the argument continues, that causes, or helps to cause, their original involvement with criminal activities. It is my own impression that research will eventually show that biological or psychological predispositions to criminality mean little in the absence of an environmental or sociological context. Family life, social life, community attachments, interpersonal bonds, subcultures, milieus, "the scene," whatever one chooses to call it, inevitably plays a crucial role in the development of a child, both physically and psychologically, and thus a prominent role in the child's behavior and sense of morality. Indeed, the enormous literature on juvenile delinquency points again and again to the overpowering significance of his/her social world in the life of the child involved with crime. It is no accident that the

preponderance of so-called delinquents come from the lower reaches of the society. Life is far more difficult here, and systems of authority and institutions are far less lenient, tolerant, supportive in the cases of poorer children. We cannot remind ourselves often enough that the experience of jail enhances the liklihood of the child committing further criminal acts. Jail is rarely rehabilitative, frequently destructive. Thus, it is not inappropriate to begin jail reform programs with the notion of abolishing jails, as they are presently defined, for children.

The problem of reform, as we well know, is a complex one. Almost any position that one takes can be thoughtfully argued or supported with the results of already completed studies and investigations. Furthermore, some would argue that the solution to the problem children in jail already exists in the structure and philosophy of the juvenile court system, despite the fact that in many instances this system fails to work efficiently, or even humanely. Still, the mechanism is there. As the authors of Children in Adult Jails[1] write, Juvenile courts "can play a significant role

1 Published by The Children's Defense Fund of the Washington Research Project, 1976.

by refusing to order jail detention in violation of state laws and consitutional rights of children. Their insistence on protecting such rights would do much to force the legislative and executive branches of state governments to provide alternatives to jail incarceration of children."

Again and again we hear of proposals which appear to contain idealistic, if not utopian, wording. There is always need for such wholly revolutionary schemes, for without them we remain without vision and without dreams. I myself am not a particularly good dreamer. I do my best to attend to what people are saying, but when it comes to policy making I find my proposals limited and unimaginative. Partly this is because my talents, alas, are limited. Partly, too, it is because I cannot seem to get beyond the realities of existing structures, such as prisons, and the present state of legislation and law enforcement. I heartily advocate the notion that children must not be placed in jail, so let us tear town jails to be certain that not one more child will be incarcerated. But, even as I write these words, I realize that alternatives to jail well may become tomorrow's jails. I know, too, that reform movements are difficult to enact, and dreadfully slow in their enactment.

Inevitably, as the Children's Defense Fund Report makes plain, interim measures must be outlined. For example, as we work to close down jails, we must investigate and correct for the disproportionate number of minority children in jail. We also must insist on adequate facilities and the proper treatment of children during their terms in jail. Naturally, it may be asked, can we even speak of proper treatment in the context of children in jail? I think we can. In my conversations, I have heard from many young people an admission that they deserve to be punished for what they have done. They deserve, and possibly want, treatment, rehabilitation, a different type of education, a chance to be helped. They despise jail, but they also fear that returning to their homes and neighborhoods might encourage them to pursue their old ways, which they now would like to abandon. The experience and stigma of jail will never help them, but there are people and forms of institutional living that might, and the children themselves are willing to try. They have their own dreams and wishes, these children, but their childhoods have taught them that one pays a big price for freedom. I believe that, in the main, they want nothing for nothing.

It is my impression that there are more policy makers

than people willing to befriend children in jail or children about to enter or leave jail. For me, the act of befriending, and inevitably working on the child's behalf, is the noble enterprise. Without law and social structure to support the child advocate, the work is impossible. But even existing laws and legislation are sufficient to enhance the work and position of the advocate. The support systems, as they say, already have been constructed; it's the children who now must receive our attention. And they are special children, for it goes without saying that their backgrounds have been difficult and some of their behavior a challenge to an ideology and a definition of morality that many of the rest of us uphold.

Like all child advocacy work, befriending and supporting a jailed child rattles our protective devices and shakes our vulnerabilities. It is not safe work, or calm work, and, in our culture, it is not held too valuable, at least according to the normal social criteria of value. It brings little prestige, little money, no power. I don't even know that I would call it rewarding work, since one never feels work of this sort has been satisfactorily completed. Always there is more to do, another child to see and listen to, another case on which

to work. But if one asks, demands even, that a government undertake certain action, then one in effect is asking only that other people take this certain action, which means, or should mean, that one should undertake this action oneself. I can make visits to jails; I can work for their abolition; I can assess an institution's facilities; I can listen to the accounts of jailed children (and those of their custodians); I can befriend another human being. So, in a most selfish way, to advocate these special children's rights is to safeguard my own.